

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KAREN STORK,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09CV01722 HEA
)	
UPS, CORPORATION,)	
)	
Defendant.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on defendant UPS, Corporation’s (“UPS”) Motion to Dismiss [Doc. No. 9] pursuant to Rule 12(b)(1) and (b)(6) of the Federal Rules of Civil Procedure. Plaintiff Karen Stork has filed a response opposing defendant’s motion [Doc. No. 17], to which defendant has filed a reply [Doc. No. 20].

Based on the facts within both parties’ pleadings, it has become apparent to the Court that there is confusion regarding when plaintiff ‘s official employment status was terminated. Given the discrepancy of plaintiff’s discharge date, and the grounds for defendant’s Motion to Dismiss, the Court will allow plaintiff 20 days to amend their complaint to clarify the discrepancy.

Accordingly,

IT IS HEREBY ORDERED that plaintiff has 20 days to amend their original complaint.

IT IS FURTHER ORDERED that defendant's Motion to Dismiss [Doc. No. 9] is **DENIED** without prejudice with leave to refile after plaintiff files their amended complaint.

Dated this 31st Day of December, 2009.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE